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*Executive Director*

December 15, 2005

The Honorable Joe Barton  
Chairman  
Energy and Commerce Committee  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable John Dingell  
Ranking Member  
Energy and Commerce Committee  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Barton and Representative Dingell:

Today you are scheduled to mark-up H.R. 4167, The National Uniformity for Foods Act of 2005. This legislation, while well-intentioned, preempts important state and local food safety laws and compromises the ability of state food safety officials to carry out their jobs. NCSL has provided testimony and sent letters to this and other Congressional committees in the past on similar legislation voicing our opposition to this preemption of state authority.

We would welcome the opportunity to provide testimony and to participate in a dialogue with you and proponents of this legislation to try to find a reasonable compromise that will address food industry concerns, but will continue to permit states to provide their citizens with the protections that they expect and deserve. NCSL looks forward to working with you and your staff to address this and other issues of interest and concern to state legislatures in the coming months.

Sincerely,

Carl Tubbesing  
Deputy Executive Director